

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

WILUS INSTITUTE OF STANDARDS AND  
TECHNOLOGY INC.,

Plaintiff,

v.

HP INC.

Defendant.

Civil Case No. 2:24-cv-00752-JRG-RSP  
[Lead Case]

**JURY TRIAL DEMANDED**

WILUS INSTITUTE OF STANDARDS AND  
TECHNOLOGY INC.,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD.,  
SAMSUNG ELECTRONICS AMERICA,  
INC.

Defendants.

Civil Case No. 2:24-cv-00746-JRG-RSP  
[Member Case]

WILUS INSTITUTE OF STANDARDS AND  
TECHNOLOGY INC.,

Plaintiff,

v.

HP INC.

Defendant.

Civil Case No. 2:24-cv-00764-JRG-RSP  
[Member Case]

**JURY TRIAL DEMANDED**

<p>WILUS INSTITUTE OF STANDARDS AND TECHNOLOGY INC.,</p> <p>Plaintiff,</p> <p>v.</p> <p>SAMSUNG ELECTRONICS CO., LTD., SAMSUNG ELECTRONICS AMERICA, INC.</p> <p>Defendants.</p>	<p>Civil Case No. 2:24-cv-00765-JRG-RSP [Member Case]</p>
<p>WILUS INSTITUTE OF STANDARDS AND TECHNOLOGY INC.,</p> <p>Plaintiff,</p> <p>v.</p> <p>ASKEY COMPUTER CORP., ASKEY INTERNATIONAL CORP.</p> <p>Defendants.</p>	<p>Civil Case No. 2:24-cv-00766-JRG-RSP [Member Case]</p>

**COUNTERCLAIM PLAINTIFF HP INC.'S OPPOSED  
MOTION FOR LEAVE TO FILE SUPPLEMENTAL BRIEF IN SUPPORT OF ITS  
RESPONSE TO COUNTERCLAIM DEFENDANTS' MOTION TO DISMISS**

HP seeks leave to file a two-page supplemental brief alerting the Court to recent legal and factual developments relevant to Counterclaim Plaintiff HP's Opposition to Counterclaim Defendants' Motion to Dismiss Counterclaims 1–6 and 15–16 (Dkt. 113).

First, on July 1, 2025, the U.K. Supreme Court granted an appeal in *Tesla v. Interdigital Patent Holdings, Inc.*, a case on which Wilus and Sisvel rely. Second, documents produced by Wilus and Sisvel after the close of briefing on the Motion to Dismiss contradict legal and factual statements made by Wilus and Sisvel in their Motion to Dismiss. Notably, Wilus and Sisvel argue that no facts or legal theory exist that bind Sisvel to the Sisvel Wi-Fi 6 patent pool members' IEEE

FRAND obligations. As shown in HP's Supplemental Brief and based on the recent document production, such statements made by Wilus and Sisvel are incorrect.

Good cause exists to supplement the briefing since this information did not become available until after the close of briefing. HP respectfully requests the Court to grant it leave to file a supplemental brief in support of its Response to Counterclaim Defendants' Motion to Dismiss.

Date: July 10, 2025

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was filed electronically in compliance with Local Rule CV-5 on July 10, 2025. As of this date, all counsel of record have consented to electronic service and are being served with a copy of this document through the Court's CM/ECF system under Local Rule CV-5(a)(3)(A).

/s/ Benjamin C. Elacqua

Benjamin C. Elacqua

**CERTIFICATE OF CONFERENCE**

I hereby certify that pursuant to Local Rule CV-7(h) counsel for Counterclaim Plaintiff HP has conferred with counsel for Counterclaim Defendants and Counterclaim Defendants are opposed to the relief sought in this motion.

/s/ Benjamin C. Elacqua

Benjamin C. Elacqua